

MAR-612 PROPERTY TRANSFER AUTHORITY

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May 8, 2001

1. **Transfer to Memorial Ships:** The USCG Auth. Act of 1996, Sec. 1009 allows transfer of government property to qualified United States Memorial Ships. MAR-612 determines organization qualification by determining that they have possession of a memorial worthy ship, that they are a non-profit organization, and that the items needed will be used on the ship and not sold to obtain funds for supporting the ship. Currently, each visit request is processed through MAR-612 but in the future MAR-612 will only approve an organization's authority to receive items and the fleet sites will manage the scheduling and support of the memorial groups. A Property Transfer Notice Form (MA-10) is completed at the fleet site when the items are taken. The MA-10 is sent to MAR-612. The fleets will be reporting memorial ship donation activity weekly.
2. **Transfer to Public Bodies:** The donation of property to public bodies is authorized by 41 U.S. C. 483(h) but it limits the transfer to items that have no commercial value or the cost of continued care and handling exceeds the estimated sales proceeds. Each donation request must be referred to MAR-612. MAR-612 determines if the public body qualifies by referring to the definition in 41CFR 101-44.0001-11. MAR-612 determines that each item has no commercial value or storage cost exceeds sales value. MAR-612 responds to each transfer request to approve the visit date after checking with the appropriate fleet superintendent. The fleets prepare an MA-10 PTN that is executed when the items are obtained or executed in advance if the items are to be shipped. The MA-10 is sent to MAR-612.
3. **Historic Artifact Loan:** Historic artifacts are removed from ships before they are scrapped and are kept either at the fleet sites or in another location in the applicable region. The loan of these items is authorized by 46 App. U.S.C. 1101 and 46 App. U.S.C. 1117. Each loan request must be referred to MAR-612. MAR-612 qualifies the borrower by determining that the items will be used for public exhibition. In 1992, private, social, or fraternal organizations were restricted from obtaining these loans. In 1999, that restriction was lifted. A Historic Artifacts Loan Agreement, Form MA-993, is executed in advance of transferring the items and is kept in MAR-612. A PTN MA-10 is not completed because the right of ownership does not change. The borrower is then invited to pick-up the items or arranges for shipping.
4. **Economy Act Transfer:** The Economy Act allows transferring of property between federal government agencies with compensation for fair market value. Each agency request must be referred to MAR-612. MAR-612 determines if an Economy Act Transfer is appropriate and if there is a market value for the requested item. MAR-612 responds to the request and invites the agency to pick-up the item. The fleets prepare an MA-10 PTN that is executed when the items are obtained or executed in advance if the items are to be shipped. The MA-10 is sent to MAR-612. Whole ships can be transferred at no cost under a special provision (P.L. 96-154 Sec. 718 / 40 USC 483a), (P.L. 100-370 Sec. 1(k)(1) / 10 USCS 2578).
5. **Marine Equipment Transfers to Merchant Ships and Shipyards:** The regulation previously in 46CFR360 described the process by which marine equipment can be requested for merchant ships and shipyards but was rescinded. The authority for this remains in 49 STAT 204 and 46 U.S.C. 1114 but must be requested of MARAD through MAR-612 on a case by case basis.
6. **Transfers Within the NDRF Program:** The responsibility for tracking and determining policy for property transfers within the NDRF and RRF is explained in the memorandum of agreement between MAR-612 and MAR-614 dated 12/9/99.